



THE CITY OF NEW YORK
LAW DEPARTMENT

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July 19, 2016

VIA ECF

The Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Ruben An v. City of New York, 16 Civ. 5381 (LGS)

Your Honor:

I am a Senior Counsel in the office of Zachary W. Carter, Corporation Counsel of the City of New York, representing defendant City of New York, in the above-referenced matter. Plaintiff alleges violations of his constitutional rights herein and seeks injunctive relief only. Defendant City intends to move to dismiss the complaint in lieu of an answer in accordance with Rules 12(b)(1) and 12(b)(6), Federal Rules of Civil Procedure.

Counsel for the parties have conferred and agreed to the following schedule: Defendant will serve its letter to plaintiff's counsel in accordance with Rule III(A)(3) of Your Honor's Individual Rules of Practice on or by August 2, 2016. Plaintiff will serve his responsive letter on or by August 16, 2016. Defendant's response to the Complaint will be due on or by August 26, 2016, including any motion as contemplated herein. Plaintiff's response papers to any Rule 12 motion by defendant in lieu of an answer will be due on or by September 16, 2016. Defendant's reply papers will be due on or by September 23, 2016. The parties respectfully request that their proposed schedule be adopted by the Court.

Defendant further requests that its time to respond to the complaint be extended from August 1, 2016 to August 26, 2016, in accordance with the parties' above agreement. This is the first such request.

Thank you for your consideration herein.

Respectfully submitted,

/s/

Mark D. Zuckerman
Senior Counsel

cc: All counsel (ECF)